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**STATE OF IOWA**

**Senate Journal**

**MONDAY, APRIL 7, 2003**

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# JOURNAL OF THE SENATE

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EIGHTY-FIFTH CALENDAR DAY  
FORTY-NINTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Monday, April 7, 2003

The Senate met in regular session at 1:09 p.m., President Kramer presiding.

Prayer was offered by the Honorable David Johnson, member of the Senate from Osceola County, Ocheyedan, Iowa.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Pages Craig Buske and Susan Hildebrand.

The Journal of Thursday, April 3, 2003, was approved.

## HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 3, 2003, **concurred** in the Senate amendment **and passed** the following bill in which the concurrence of the House was asked:

**House File 180**, a bill for an act relating to character education and service learning in Iowa's elementary and secondary schools.

ALSO: That the House has on April 3, 2003, **passed** the following bills in which the concurrence of the Senate is asked:

**House File 502**, a bill for an act relating to damage disclosure statements required for transfer of ownership of motor vehicles and providing a penalty.

Read first time and referred to committee on **Transportation**.

**House File 583**, a bill for an act relating to governmental ethics disclosure reports, including reports related to receptions for members of the general assembly during session detailing food, beverage, and entertainment received by public officials and public employees, and reports filed by clients of lobbyists before the general assembly and the executive branch pertaining to moneys paid for lobbying purposes.

Read first time and referred to committee on **Ethics**.

**House File 595**, a bill for an act relating to certain voluntary annexations and to involuntary annexations and providing an effective date.

Read first time and referred to committee on **Local Government**.

**House File 617**, a bill for an act requiring that dealers of certain swine file evidence of financial responsibility with the department of agriculture and land stewardship.

Read first time and referred to committee on **Agriculture**.

**House File 662**, a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of cultural affairs, the department of education, and the state board of regents and including an effective date and retroactive applicability date provision.

Read first time and referred to committee on **Appropriations**.

The Senate stood at ease at 1:18 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 2:48 p.m., President Pro Tempore Angelo presiding.

**RECESS**

On motion of Senator Sievers, the Senate recessed at 2:49 p.m. until 4:00 p.m.

**APPENDIX — 1****CERTIFICATES OF RECOGNITION**

The Secretary of the Senate issued the following certificates of recognition:

Richard and Lila Amonson, Clarion — For celebrating your 50th wedding anniversary on April 10, 2003. Senator Iverson (4/7/03).

Scott and Diane Engquist, Engquist Lumber Company, Harcourt — For recognition as the 2002 Century Business of Iowa. Senator Beall (4/7/03).

Betty Nearing, Eagle Grove — For celebrating your 100th birthday on April 10, 2003. Senator Iverson (4/7/03).

Nate Richter, Lime Springs — For achieving the rank of Eagle Scout, Boy Scout Troop 121. Senator Zieman (4/7/03).

Joshua Neal Stokes, Sioux City — For achieving the rank of Eagle Scout, Boy Scout Troop 221. Senator Warnstadt (4/7/03).

**REPORTS OF COMMITTEE MEETINGS****HUMAN RESOURCES**

**Convened:** April 3, 2003, 1:35 p.m.

**Members Present:** Veenstra, Chair; Seymour, Vice Chair; Ragan, Ranking Member; Behn, Boettger, Hatch, Hosch, Kreiman, McKinley, Schuerer, and Tinsman.

**Members Absent:** Holveck and Horn (both excused).

**Committee Business:** Passed HF's 386, 387 (as amended), 389, and 489.

**Adjourned:** 2:55 p.m.

**WAYS AND MEANS**

**Convened:** April 3, 2003, 3:25 p.m.

**Members Present:** McKibben, Chair; Shull, Vice Chair; Bolkom, Ranking Member; Angelo, Dotzler, Hosch, McCoy, McKinley, Quirnbach, Rehberg, Seng, Sievers, and Stewart.

**Members Absent:** Connolly, Lamberti, Larson, Miller (all excused).

**Committee Business:** Subcommittee assignments and discussion regarding the status of tax bills.

**Adjourned:** 3:30 p.m.

#### STATE GOVERNMENT

**Convened:** April 7, 2003, 2:00 p.m.

**Members Present:** Zieman, Chair; Sievers, Vice Chair; Kibbie, Ranking Member; Black, Courtney, Dearden, Drake, Johnson, Ragan, Schuerer, Shull, Tinsman, and Veenstra.

**Members Absent:** Connolly and Lamberti (both excused).

**Committee Business:** Passed HF's 593 (as amended), 604, and 648.

**Adjourned:** 3:35 p.m.

#### INTRODUCTION OF RESOLUTION

**[Senate Concurrent Resolution 15](#)**, by Sievers, Stewart, Putney, Bolkom, Warnstadt, Beall, Behn, Boettger, Angelo, Dvorsky, Hosch, Black, Horn, Courtney, Quirnbach, Seng, Larson, McKibben, Schuerer, Seymour, and Iverson, a concurrent resolution supporting the widening, improvement, and enhancement of U.S. Highway 30 across central Iowa and requesting federal assistance.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

#### SUBCOMMITTEE ASSIGNMENTS

##### [House File 502](#)

TRANSPORTATION: Johnson, Chair; Dearden and Drake

##### [House File 617](#)

AGRICULTURE: Zieman, Chair; Kibbie and Putney

## COMMITTEE REPORTS

## HUMAN RESOURCES

**Final Bill Action:** [HOUSE FILE 386](#), a bill for an act relating to the department of elder affairs including provisions relating to the elder Iowans Act.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 9: Veenstra, Seymour, Ragan, Behn, Boettger, Hatch, Hosch, Kreiman, and Tinsman. Nays, none. Absent, 4: Holveck, Horn, McKinley, and Schuerer.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## ALSO:

**Final Bill Action:** [HOUSE FILE 389](#), a bill for an act providing for miscellaneous technical and substantive changes relating to controlled and precursor substances.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 8: Veenstra, Seymour, Ragan, Behn, Boettger, Hosch, Kreiman, and Tinsman. Nays, none. Absent, 5: Hatch, Holveck, Horn, McKinley, and Schuerer.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## ALSO:

**Final Bill Action:** [HOUSE FILE 489](#), a bill for an act relating to programs and services under the purview of the department of human services, and providing for retroactive applicability and effective dates.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 11: Veenstra, Seymour, Ragan, Behn, Boettger, Hatch, Hosch, Kreiman, McKinley, Schuerer, and Tinsman. Nays, none. Absent, 2: Holveck and Horn.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## AFTERNOON SESSION

The Senate reconvened at 4:06 p.m., President Kramer presiding.

## HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 7, 2003, **passed** the following bill in which the concurrence of the Senate is asked:

**[House File 394](#)**, a bill for an act relating to the purposes of the community attraction and tourism program.

Read first time and referred to committee on **Economic Growth**.

## QUORUM CALL

Senator Schuerer requested a nonrecord roll call to determine that a quorum was present.

The vote revealed 40 present, 10 absent, and a quorum present.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Connolly, until he arrives, on request of Senator Gronstal.

CONSIDERATION OF BILLS  
(Regular Calendar)

Senator Veenstra asked and received unanimous consent to take up for consideration **[House File 601](#)** and **[Senate File 399](#)**.

**[House File 601](#)**

On motion of Senator Johnson, **[House File 601](#)**, a bill for an act relating to campaign finance, including political party committees, campaign disclosure reports, independent expenditures, and income

tax checkoff provisions, with report of committee recommending passage, was taken up for consideration.

Senator Johnson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([H.F. 601](#)), the vote was:"

Yeas, 49:

Angelo	Beall	Behn	Black
Boettger	Bolkcom	Brunkhorst	Courtney
Dearden	Dotzler	Drake	Dvorsky
Fraise	Gaskill	Gronstal	Hatch
Holveck	Horn	Hosch	Houser
Iverson	Johnson	Kettering	Kibbie
Kramer	Kreiman	Lamberti	Larson
Lundby	McCoy	McKibben	McKinley
Miller	Putney	Quirnbach	Ragan
Redfern	Rehberg	Schuerer	Seng
Seymour	Shull	Sievers	Stewart
Tinsman	Veenstra	Warnstadt	Wieck
Zieman			

Nays, none.

Absent, 1:

Connolly

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### [Senate File 399](#)

On motion of Senator Lamberti, [Senate File 399](#), a bill for an act establishing a criminalistics laboratory surcharge and creating a criminalistics laboratory fund, making an appropriation of surcharge moneys, and making related changes, was taken up for consideration.

Senator Lamberti moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 399](#)), the vote was:

Yeas, 40:

Angelo	Beall	Behn	Black
Boettger	Courtney	Dearden	Dotzler
Drake	Dvorsky	Fraise	Gaskill
Hatch	Horn	Hosch	Houser
Iverson	Johnson	Kettering	Kibbie
Kramer	Kreiman	Lamberti	Larson
Lundby	McCoy	McKibben	Putney
Quirnbach	Ragan	Redfern	Seng
Seymour	Shull	Stewart	Tinsman
Veenstra	Warnstadt	Wieck	Zieman

Nays, 9:

Bolkcom	Brunkhorst	Gronstal	Holveck
McKinley	Miller	Rehberg	Schuerer
Sievers			

Absent, 1:

Connolly

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

#### IMMEDIATELY MESSAGED

Senator Veenstra asked and received unanimous consent that [Senate File 399](#) and [House File 601](#) be **immediately messaged** to the House.

#### CONSIDERATION OF BILLS (Regular Calendar)

Senator Veenstra asked and received unanimous consent to take up for consideration [House File 456](#) and [Senate File 237](#).

#### [House File 456](#)

On motion of Senator Black, [House File 456](#), a bill for an act relating to contract choice-of-law provisions referring to the uniform computer information transactions Act, and related matters and

providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Black moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([H.F. 456](#)), the vote was:

Yeas, 49:

Angelo	Beall	Behn	Black
Boettger	Bolkcom	Brunkhorst	Courtney
Dearden	Dotzler	Drake	Dvorsky
Fraise	Gaskill	Gronstal	Hatch
Holveck	Horn	Hosch	Houser
Iverson	Johnson	Kettering	Kibbie
Kramer	Kreiman	Lamberti	Larson
Lundby	McCoy	McKibben	McKinley
Miller	Putney	Quirnbach	Ragan
Redfern	Rehberg	Schuerer	Seng
Seymour	Shull	Sievers	Stewart
Tinsman	Veenstra	Warnstadt	Wieck
Zieman			

Nays, none.

Absent, 1:

Connolly

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### [Senate File 237](#)

On motion of Senator Johnson, [Senate File 237](#), a bill for an act relating to fees charged to certain private water supply contractors, establishing a private water supply system account within the water quality protection fund, and appropriating moneys in the account, with report of committee recommending passage, was taken up for consideration.

Senator Johnson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([S.F. 237](#)), the vote was:

Yeas, 49:

Angelo	Beall	Behn	Black
Boettger	Bolkcom	Brunkhorst	Courtney
Dearden	Dotzler	Drake	Dvorsky
Fraise	Gaskill	Gronstal	Hatch
Holveck	Horn	Hosch	Houser
Iverson	Johnson	Kettering	Kibbie
Kramer	Kreiman	Lamberti	Larson
Lundby	McCoy	McKibben	McKinley
Miller	Putney	Quirnbach	Ragan
Redfern	Rehberg	Schuerer	Seng
Seymour	Shull	Sievers	Stewart
Tinsman	Veenstra	Warnstadt	Wieck
Zieman			

Nays, none.

Absent, 1:

Connolly

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

#### IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that [Senate File 237](#) and [House File 456](#) be **immediately messaged** to the House.

#### CONFIRMATION OF GOVERNOR'S APPOINTMENTS

In accordance with Senate Rule 59, Senator Iverson called up the following eligible appointees on the En Bloc Confirmation Calendar:

Susan Boe, Accountancy Examining Board  
Richard Johnson, Accountancy Examining Board  
Telford Lodden, Accountancy Examining Board

Scott Doll, Alcoholic Beverages Commission

Martha Green, Architectural Examining Board  
Jeffrey Morgan, Architectural Examining Board

**Terri Craft, Board of Athletic Training Examiners**

**Barbara Martin, Board of Barber Examiners**

**Thorald Davidson, Board of Behavioral Science Examiners**  
**Barbara O'Rourke, Board of Behavioral Science Examiners**  
**Timothy Ruppert, Board of Behavioral Science Examiners**

**Kathleen Kennedy, Board of Chiropractic Examiners**  
**Michael Powell, Board of Chiropractic Examiners**  
**Diane Puthoff, Board of Chiropractic Examiners**

**Barbara Brown, City Development Board**  
**Ann Hutchinson, City Development Board**

**Alicia Claypool, Iowa States Civil Rights Commission**  
**Dinh VanLo, Iowa State Civil Rights Commission**

**Walter Reed, Jr., Board of Corrections**

**Jerry Talbott, Board of Cosmetology Arts and Sciences Examiners**

**Denise Dolan, County Finance Committee**  
**Richard Heidloff, County Finance Committee**  
**Ben Lacey, County Finance Committee**  
**Kevin Wynn, County Finance Committee**

**Elizabeth Brennan, Board of Dental Examiners**  
**Gary Roth, Board of Dental Examiners**

**Rachel Dunn, Board of Dietetic Examiners**  
**Joseph Rodriguez, Board of Dietetic Examiners**

**Terry Sweeney, Iowa Drug Policy Advisory Council**

**Robert Bocken, Iowa Economic Development Board**  
**Cynthia Keithley, Iowa Economic Development Board**

**Bill Haigh, Board of Educational Examiners**  
**Veronica Stalker, Board of Educational Examiners**  
**Jacqueline Wellborn, Board of Educational Examiners**

**Julie Bell, Iowa Emergency Response Commission**  
**Daniel Rogers, Iowa Emergency Response Commission**

Michael Bergan, Iowa Empowerment Board  
Rebecca Burgart, Iowa Empowerment Board  
Elaine Szymoniak, Iowa Empowerment Board  
Thomas Wilson, Iowa Empowerment Board  
C. Arthur Wittmack, Iowa Empowerment Board

Forrest Holly, Engineering and Land Surveying Examining Board

Donna Buell, Environmental Protection Commission  
Lisa Davis Cook, Environmental Protection Commission  
Jerry Peckumn, Environmental Protection Commission  
Francis Thicke, Environmental Protection Commission  
Heidi Vittetoe, Environmental Protection Commission

James Albert, Iowa Ethics and Campaign Disclosure Board

Carmela Brown, Iowa Finance Authority

Benjamin Jung, Grape and Wine Development Commission

Leslie Whippen, Board for the Licensing and Regulation of Hearing Aid  
Dispensers

John Hartung, Iowa Higher Education Loan Authority

Ruth White, Director of the Department of Human Rights

Diane Kolmer, Information Technology Council  
Mary Wegner, Information Technology Council

Therese Vaughan, Commissioner of Insurance

Quentin Boyken, IowaAccess Advisory Council  
David Redlawsk, IowaAccess Advisory Council

David Creighton, Sr., Investment Board of the IPERS

Mary Elgar, State Judicial Nominating Commission  
Charles Follett, State Judicial Nominating Commission

Monroe Colston, Commission on Judicial Qualifications (Appointment)  
Monroe Colston, Commission on Judicial Qualifications (Reappointment)

James Romar, Iowa Law Enforcement Academy Council

Mark Monson, Iowa Lewis and Clark Bicentennial Commission  
Wynema Morris, Iowa Lewis and Clark Bicentennial Commission  
Michele Walker, Iowa Lewis and Clark Bicentennial Commission

Elaine Baxter, Iowa Lottery Board  
Michael McCoy, Iowa Lottery Board

Carole Frier, Board of Medical Examiners  
Sally Schroeder, Board of Medical Examiners  
Janece Valentine, Board of Medical Examiners

Christine Louscher, Mental Health and Developmental Disabilities  
Commission

Jacqueline Kibbie-Williams, Mental Health Risk Pool Board  
(Appointment)  
Jacqueline Kibbie-Williams, Mental Health Risk Pool Board  
(Reappointment)  
Ralph Kremer, Mental Health Risk Pool Board  
Andy Nielsen, Mental Health Risk Pool Board  
David Van Ningen, Mental Health Risk Pool Board (Appointment)  
David Van Ningen, Mental Health Risk Pool Board (Reappointment)

Ruth Ohde, Board of Mortuary Science Examiners

Randy Duncan, Natural Resource Commission  
Richard Francisco, Natural Resource Commission

M. Ann Aulwes-Allison, Board of Nursing Examiners

Terry Cooper, State Board of Examiners for Nursing Home  
Administrators  
Susan Frey, State Board of Examiners for Nursing Home Administrators  
Daniel Larmore, State Board of Examiners for Nursing Home  
Administrators  
Mary Nielsen, State Board of Examiners for Nursing Home  
Administrators  
Audrae Zoekler, State Board of Examiners for Nursing Home  
Administrators

Barbara Scheetz, Board of Optometry Examiners  
Robert Weiland, Board of Optometry Examiners

Katherine Linder, Board of Pharmacy Examiners

Helen McNurlen, Board of Physical and Occupational Therapy Examiners

Diane Cardwell, Board of Physician Assistant Examiners  
Mara Swanson, Board of Physician Assistant Examiners  
Rita Taylor, Board of Physician Assistant Examiners

Ethel Campbell, Board of Podiatry Examiners

Kimberly Brangoccio, Prevention of Disabilities Policy Council  
James Grover, Prevention of Disabilities Policy Council  
Mickey McDaniel, Prevention of Disabilities Policy Council

Gerald Jorgensen, Board of Psychology Examiners

Joyce Jarding, State Racing and Gaming Commission

David Erickson, Real Estate Appraiser Examining Board  
Barbara Leestamper, Real Estate Appraiser Examining Board  
Karen Oberman, Real Estate Appraiser Examining Board

Laurie Dawley, Real Estate Commission  
James Hughes, Real Estate Commission

Robert Downer, State Board of Regents  
John Forsyth, State Board of Regents

Karen Andersen-Schank, Renewable Fuels and Coproducts Advisory  
Committee  
Greg Hayes, Renewable Fuels and Coproducts Advisory Committee

Robert Zeman, State Board for Respiratory Care

Wayne Drexler, School Budget Review Committee

Thomas Capshew, Board of Social Work Examiners  
Joan Hester, Board of Social Work Examiners

Jean Eells, State Soil Conservation Committee  
Todd Scott, State Soil Conservation Committee  
James Tobin, State Soil Conservation Committee

Douglas Walter, Board of Speech Pathology and Audiology Examiners

Steven Richardson, State Board of Tax Review

Walter Murphy, Title Guaranty Division Board

Annette Bair, Commission on Tobacco Use Prevention and Control  
 Scott Havens, Commission on Tobacco Use Prevention and Control  
 Marvin Jenkins, Commission on Tobacco Use Prevention and Control

Laurel Phipps, Commission of Veterans Affairs

Anne Duffy, Iowa Board of Veterinary Medicine  
 Leslie Hemmingson, Iowa Board of Veterinary Medicine

Lorna Burnside, Vision Iowa Board  
 Libby Slappey, Vision Iowa Board

Benjamin Duehr, Iowa Workforce Development Board  
 Sarah Falb, Iowa Workforce Development Board

Senator Iverson moved that the foregoing appointees be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Yeas, 49:

Angelo	Beall	Behn	Black
Boettger	Bolkcom	Brunkhorst	Courtney
Dearden	Dotzler	Drake	Dvorsky
Fraise	Gaskill	Gronstal	Hatch
Holveck	Horn	Hosch	Houser
Iverson	Johnson	Kettering	Kibbie
Kramer	Kreiman	Lamberti	Larson
Lundby	McCoy	McKibben	McKinley
Miller	Putney	Quirnbach	Ragan
Redfern	Rehberg	Schuerer	Seng
Seymour	Shull	Sievers	Stewart
Tinsman	Veenstra	Warnstadt	Wieck
Zieman			

Nays, none.

Absent, 1:

Connolly

The appointees, having received a two-thirds vote, were declared to have been confirmed by the Senate.

**CONSIDERATION OF BILL  
(Appropriations Calendar)**

Senator Iverson asked and received unanimous consent to take up for consideration [Senate File 438](#).

**[Senate File 438](#)**

On motion of Senator Dvorsky, [Senate File 438](#), a bill for an act relating to the establishment of the office of grants enterprise management in the department of management to assist the state in receiving more nonstate funds and providing a standing limited appropriation, was taken up for consideration.

Senator Dvorsky moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 438](#)), the vote was:

Yeas, 49:

Angelo	Beall	Behn	Black
Boettger	Bolkcom	Brunkhorst	Courtney
Dearden	Dotzler	Drake	Dvorsky
Fraise	Gaskill	Gronstal	Hatch
Holveck	Horn	Hosch	Houser
Iverson	Johnson	Kettering	Kibbie
Kramer	Kreiman	Lamberti	Larson
Lundby	McCoy	McKibben	McKinley
Miller	Putney	Quirnbach	Ragan
Redfern	Rehberg	Schuerer	Seng
Seymour	Shull	Sievers	Stewart
Tinsman	Veenstra	Warnstadt	Wieck
Zieman			

Nays, none.

Absent, 1:

Connolly

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS  
(Deferred April 2, 2003)

**House File 319**

The Senate resumed consideration of **House File 319**, a bill for an act permitting written demand via regular mail prior to an action under the uniform commercial code for recovery of civil damages for a dishonored check, draft, or order, when supported by an affidavit of service, deferred April 2, 2003.

Senator Behn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (**H.F. 319**), the vote was:

Yeas, 48:

Angelo	Beall	Behn	Black
Boettger	Bolkcom	Brunkhorst	Connolly
Courtney	Dearden	Dotzler	Drake
Dvorsky	Fraise	Gaskill	Gronstal
Hatch	Horn	Hosch	Houser
Iverson	Johnson	Kettering	Kibbie
Kramer	Lamberti	Larson	Lundby
McCoy	McKibben	McKinley	Miller
Putney	Quirnbach	Ragan	Redfern
Rehberg	Schuerer	Seng	Seymour
Shull	Sievers	Stewart	Tinsman
Veenstra	Warnstadt	Wieck	Zieman

Nays, 2:

Holveck	Kreiman
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Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate File 438** and **House File 319** be **immediately messaged** to the House.

**CONSIDERATION OF BILL  
(Appropriations Calendar)**

Senator Iverson asked and received unanimous consent to take up for consideration [House File 472](#).

**[House File 472](#)**

On motion of Senator Seymour, [House File 472](#), a bill for an act appropriating federal funds made available from federal block grants and other federal grants, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated, with report of committee recommending passage, was taken up for consideration.

Senator Seymour moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([H.F. 472](#)), the vote was:

Yeas, 50:

Angelo	Beall	Behn	Black
Boettger	Bolkcom	Brunkhorst	Connolly
Courtney	Dearden	Dotzler	Drake
Dvorsky	Fraise	Gaskill	Gronstal
Hatch	Holveck	Horn	Hosch
Houser	Iverson	Johnson	Kettering
Kibbie	Kramer	Kreiman	Lamberti
Larson	Lundby	McCoy	McKibben
McKinley	Miller	Putney	Quirnbach
Ragan	Redfern	Rehberg	Schuerer
Seng	Seymour	Shull	Sievers
Stewart	Tinsman	Veenstra	Warnstadt
Wieck	Zieman		

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF RESOLUTION  
(Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration [Senate Concurrent Resolution 8](#).

[Senate Concurrent Resolution 8](#)

On motion of Senator Hosch, [Senate Concurrent Resolution 8](#), a concurrent resolution supporting the completion of U.S. Highway 20 across northern Iowa and requesting federal assistance, with report of committee recommending passage, was taken up for consideration.

Senator Hosch moved the adoption of [Senate Concurrent Resolution 8](#), which motion prevailed by a voice vote.

CONSIDERATION OF BILL  
(Regular Calendar)

Senator Veenstra asked and received unanimous consent to take up for consideration [Senate File 389](#).

[Senate File 389](#)

On motion of Senator McKinley, [Senate File 389](#), a bill for an act relating to the exemption from land ownership restrictions for nonresident aliens under the new jobs and income program, was taken up for consideration.

Senator McKinley asked and received unanimous consent that [House File 612](#) be substituted for [Senate File 389](#).

[House File 612](#)

On motion of Senator McKinley, [House File 612](#), a bill for an act relating to the exemption from land ownership restrictions for nonresident aliens under the new jobs and income program, was taken up for consideration.

Senator McKinley moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([H.F. 612](#)), the vote was:

Yeas, 42:

Angelo	Beall	Behn	Black
Boettger	Bolkcom	Brunkhorst	Connolly
Drake	Dvorsky	Fraise	Gaskill
Gronstal	Horn	Hosch	Houser
Iverson	Johnson	Kettering	Kibbie
Kramer	Lamberti	Larson	Lundby
McKibben	McKinley	Putney	Quirmbach
Ragan	Redfern	Rehberg	Schuerer
Seng	Seymour	Shull	Sievers
Stewart	Tinsman	Veenstra	Warnstadt
Wieck	Zieman		

Nays, 8:

Courtney	Dearden	Dotzler	Hatch
Holveck	Kreiman	McCoy	Miller

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

#### WITHDRAWN

Senator McKinley asked and received unanimous consent that [Senate File 389](#) be **withdrawn** from further consideration of the Senate.

#### UNFINISHED BUSINESS (Deferred March 24, 2003)

#### [Senate File 384](#)

The Senate resumed consideration of [Senate File 384](#), a bill for an act relating to the taxation of activities involving out-of-state qualified state tuition programs and including effective and retroactive applicability date provisions, deferred March 24, 2003.

The Senate stood at ease at 5:27 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 6:07 p.m., President Kramer presiding.

Senator Larson asked and received unanimous consent that action on [Senate File 384](#) be **deferred**.

#### HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 7, 2003, **concurred** in the Senate amendment **and passed** the following bill in which the concurrence of the House was asked:

[House File 636](#), a bill for an act relating to legislative branch consolidation of functions by combining the legislative service bureau, legislative fiscal bureau, and legislative computer support bureau into a single central legislative staff agency, providing for legislative publications procedures, modifying the sales tax exemption for items sold or services provided by the new agency, including related matters, and providing an effective date.

ALSO: That the House has on April 7, 2003, **amended and passed** the following bill in which the concurrence of the House was asked:

[Senate File 230](#), a bill for an act relating to the procedure for reducing the number of members of a city council from five to three in certain cities. ([S-3151](#))

ALSO: That the House has on April 7, 2003, **passed** the following bill in which the concurrence of the Senate is asked:

[House File 401](#), a bill for an act relating to the procedures for certificates of completion of property rehabilitation projects for which tax credits may be available.

Read first time and referred to committee on **Economic Growth**.

## IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that [Senate Concurrent Resolution 8](#) and **House Files 472 and 612** be **immediately messaged** to the House.

## ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 6:10 p.m. until 8:30 a.m. Tuesday, April 8, 2003.

## APPENDIX — 2

## STUDY BILLS RECEIVED

**[SSB 1193](#) Ways and Means**

Relating to the transfer of certain property-related tax credits.

**[SSB 1194](#) Ways and Means**

Relating to the requirements for receiving a property tax exemption for open prairies and wildlife habitats and including an applicability date provision.

## SUBCOMMITTEE ASSIGNMENTS

**[Senate Concurrent Resolution 15](#)**

RULES AND ADMINISTRATION: Iverson, Chair; Gronstal and Kramer

**[House File 583](#)**

ETHICS: Drake, Chair; Connolly and Redfern

**[House File 595](#)**

LOCAL GOVERNMENT: Angelo, Chair; Miller and Stewart

**[SSB 1193](#)**

WAYS AND MEANS: Bolcom, Chair; McCoy and McKibben

**[SSB 1194](#)**

WAYS AND MEANS: Hosch, Chair; McKibben and Stewart

**COMMITTEE REPORTS****HUMAN RESOURCES**

**Final Bill Action:** \*[HOUSE FILE 387](#), a bill for an act relating to mental health and developmental disabilities by revising life safety requirements for intermediate care facilities for persons with mental retardation, expanding an exemption to health care licensing requirements for certain residential programs that receive funding under a medical assistance home and community-based services waiver and approval from the department of human services, and revising membership requirements for the mental health and developmental disabilities commission, and providing an effective date.

**Recommendation:** AMEND AND DO PASS, AS PROVIDED IN AMENDMENT [S-3149](#).

**Final Vote:** Ayes, 11: Veenstra, Seymour, Ragan, Behn, Boettger, Hatch, Hosch, Kreiman, McKinley, Schuerer, and Tinsman. Nays, none. Absent, 2: Holveck and Horn.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

\*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Human Resources Committee on [House File 387](#), and they were attached to the committee report.

**STATE GOVERNMENT**

**Final Bill Action:** [HOUSE FILE 604](#), a bill for an act requiring state government annual reports made to the general assembly to include certain financial information.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 13: Zieman, Sievers, Kibbie, Black, Courtney, Dearden, Drake, Johnson, Ragan, Schuerer, Shull, Tinsman, and Veenstra. Nays, none. Absent, 2: Connolly and Lamberti.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**ALSO:**

**Final Bill Action:** [HOUSE FILE 648](#), a bill for an act relating to the consolidation of the management of state archives and records and making conforming changes.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 13: Zieman, Sievers, Kibbie, Black, Courtney, Dearden, Drake, Johnson, Ragan, Schuerer, Shull, Tinsman, and Veenstra. Nays, none. Absent, 2: Connolly and Lamberti.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## AMENDMENTS FILED

<a href="#"><u>S-3140</u></a>	<a href="#"><u>S.F. 439</u></a>	Eugene S. Fraise Joe Bolkcom Mike Connolly Michael E. Gronstal John P. Kibbie Dennis H. Black Amanda Ragan Jack Holveck Jack Hatch Robert E. Dvorsky Roger Stewart Thomas G. Courtney Joe M. Seng William Dotzler Daryl Beall Steve Warnstadt Herman C. Quirnbach Wally E. Horn Dick L. Dearden Matt McCoy Keith A. Kreiman
<a href="#"><u>S-3141</u></a>	<a href="#"><u>H.F. 652</u></a>	John P. Kibbie
<a href="#"><u>S-3142</u></a>	<a href="#"><u>S.F. 300</u></a>	Mark Zieman
<a href="#"><u>S-3143</u></a>	<a href="#"><u>S.F. 370</u></a>	Mark Zieman
<a href="#"><u>S-3144</u></a>	<a href="#"><u>S.F. 408</u></a>	Ken Veenstra
<a href="#"><u>S-3145</u></a>	<a href="#"><u>S.F. 334</u></a>	Keith A. Kreiman
<a href="#"><u>S-3146</u></a>	<a href="#"><u>S.F. 403</u></a>	John Putney
<a href="#"><u>S-3147</u></a>	<a href="#"><u>H.F. 548</u></a>	John Putney
<a href="#"><u>S-3148</u></a>	<a href="#"><u>S.F. 362</u></a>	John Putney
<a href="#"><u>S-3149</u></a>	<a href="#"><u>H.F. 387</u></a>	Human Resources
<a href="#"><u>S-3150</u></a>	<a href="#"><u>S.F. 439</u></a>	Eugene S. Fraise Joe Bolkcom John P. Kibbie Dennis H. Black Amanda Ragan Thomas G. Courtney Jack Hatch William Dotzler Joe M. Seng

Daryl Beall  
Herman C. Quirnbach  
Roger Stewart  
Robert E. Dvorsky  
Dick L. Dearden  
Wally E. Horn  
Keith A. Kreiman  
Matt McCoy  
Michael E. Gronstal  
Steve Warnstadt  
Jack Holveck  
Mike Connolly  
House  
Steve Warnstadt  
Mike Connolly

<u>S-3151</u>	<u>S.F. 230</u>
<u>S-3152</u>	<u>S.F. 94</u>
<u>S-3153</u>	<u>S.F. 384</u>